



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

15 West Yakima Avenue, Suite 200 • Yakima, Washington 98902-3452 • (509) 575-2490

July 6, 2005

Kennewick Irrigation District
Bill Pope
12 W Kennewick Ave
Kennewick WA 99336-3832

Re: Emergency Drought Permit No. G4-35028 – Kennewick Irrigation District

In accordance with the provisions of RCW 43.83B.405, on March 10, 2005, it was ordered and determined by the Director of the Department of Ecology that the State of Washington is under drought conditions. In accordance with the provisions of WAC 173-166-060, the Department of Ecology is under the terms of this Order, issuing an EMERGENCY DROUGHT PERMIT. The intent of this authorization is to alleviate hardships and reduce the burdens on water users arising from the drought conditions.

The Kennewick Irrigation District (KID) has requested the use of three existing wells to supplement its normal surface water diversion from the Yakima River. The three existing wells are covered by Water Right Certificate Nos. G4-23101C, G4-23100C, G4-24386C, and Water Right Change No. CG4-23101C, for irrigation within Section 15, T. 8 N., R. 28 E., W.M. Emergency Drought Permit No. G4-34997 was previously issued to KID and authorizes the withdrawal of 3500 gallons per minute (gpm) of water from these same three wells. The owner of the wells, Mr. Thayne Wiser, retained 400 gpm after agreeing to transfer 3500 gpm to KID. The current request is to increase the instantaneous and annual quantities to be appropriated from these wells.

THIS AUTHORIZATION SHALL IN NO MANNER BE CONSTRUED TO GUARANTEE OR IMPLY THAT A FINAL (REGULAR) PERMIT WILL ISSUE FOR THE FUTURE USE OF THE WATER USE HEREIN AUTHORIZED.

The Department of Ecology (Ecology) has agreed to fund the cost of the mitigation to offset the impacts associated with the drought emergency authorizations. Ecology is attempting to meet the essential irrigation needs of farmers growing perennial crops (such as orchard crops, grapes, hops, etc.) where the loss of irrigation water would permanently damage the crops. Through the use of emergency supplemental wells, Ecology is authorizing up to 80% of the usual irrigation water supply delivered by the irrigation districts. In a normal year, KID is prepared to deliver 3.5 acre-feet of water per acre. KID is expected to deliver approximately 1.75 acre-feet of water per acre. This authorization will allow an additional 947 acre-feet to irrigate the 20,201 irrigated acres within the KID.

This authorization is subject to the following limitations and provisions:

This authorization is for the use of three existing wells at the following locations:

- Well No. 1: Center of the NW¼ of Section 15, T. 8 N., R. 28 E.W.M.
- Well No. 2: Center of Section 15, T. 8 N., R. 28 E., W.M.
- Well No. 4: Southeast corner of the NE¼ of Section 15, T. 8 N., R. 28 E.W.M.

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The instantaneous quantity of water to be withdrawn under this emergency drought permit is limited to 2100 gpm. The maximum instantaneous pumping from these wells under all authorizations shall not exceed 6000 gpm. The maximum instantaneous quantity which may be pumped from each well is limited to the following:

Well No. 1: 1600 gpm
Well No. 2: 2200 gpm
Well No. 4: 2200 gpm

A total of 947 acre-feet of water per year to irrigate various crops within the KID service area is authorized under this emergency permit.

The place of use is described as follows:

Lands within the boundaries of the Kennewick Irrigation District, Benton County, Washington.

A suitable flow meter approved by the Department of Ecology shall be installed on each of the sources and maintained in accordance with Chapter 173-173 WAC. (Installation, operation and maintenance requirements attached hereto.) A separate flow meter is required on each well for KID use and use under the Certificates.

Whenever water is being diverted, bi-weekly (every two weeks) readings of the flow meter shall be recorded and maintained by the permittee. These readings shall be documented by time, date, withdrawal rate, and the person conducting the measurements. Copies of these records shall be submitted to the Department of Ecology by November 15, 2005.

The water sources and/or water transmission facilities may not be located entirely upon the land owned by the applicant. Therefore, the applicant is advised that issuance of a permit by this department for appropriation of the waters in question does not convey a right of access to, or other right to use, land which the applicant does not legally possess.

Department of Ecology personnel, upon presentation of proper credentials, shall have access at reasonable times, to the records of water use that are kept to meet the above conditions, and to inspect at reasonable times any measuring device used to meet the above conditions.

Withdrawal of water under this authorization may be limited or otherwise regulated in favor of senior rights.

This drought emergency authorization expires on October 31, 2005.

You have the right to appeal this decision to the Pollution Control Hearings Board. Pursuant to Chapter 43.21B RCW, your appeal must be filed with the Pollution Control Hearings Board, and served on the Department of Ecology, within thirty (30) days of the date of your receipt of this document.

To appeal this decision, your notice of appeal must contain a copy of the Ecology decision you are appealing.

Your appeal must be filed with:

The Pollution Control Hearings Board
4224 - 6th Avenue SE Rowe Six Bldg 2
PO Box 40903
Lacey WA 98504-0903

Your appeal must also be served on:

The Department of Ecology
Appeals Coordinator
PO Box 47608
Olympia WA 98504-7608

In addition, please send a copy of your appeal to:

Robert F. Barwin
Department of Ecology
15 W Yakima Ave Ste 200
Yakima WA 98902-3452

Sincerely,



Robert F. Barwin, Section Manager
Water Resources Program
Central Region Office

RFB:MS:gg
050710

Enclosures: Flow Meter Requirements
Your Right To Be Heard

cc: Carroll Palmer, Director, Natural Resources Division, Yakama Nation
Thayne Wiser